

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

ANTHONY FORD,

Plaintiff,

vs.

KILOLO KIJAKAZI,
Acting Commissioner of
Social Security,

Defendant.

CV 23–24–M–DLC

ORDER

Before the Court is the parties’ Stipulated Motion for Remand. (Doc. 14.) The parties stipulate to the remand of this matter, pursuant to sentence four of 42 U.S.C. § 405(g). (*Id.* at 2.) The parties request that, on remand, the ALJ “further develop the record, as necessary; offer Plaintiff the opportunity for a new administrative hearing; reevaluate the evidence; and issue a new decision.” (*Id.*) The parties further request that judgment be entered in favor of Plaintiff and against Defendant, reversing the final decision of the Commissioner. (*Id.*)

Accordingly, IT IS ORDERED that the motion (Doc. 14) is GRANTED. The Commissioner’s final decision is REVERSED and REMANDED for further administrative proceedings, on the record, before an ALJ. Remand shall be made under sentence four of 42 U.S.C. § 405(g).

IT IS FURTHER ORDERED that on remand, the ALJ shall: further develop the record, as necessary; offer Plaintiff the opportunity for a new administrative hearing; reevaluate the evidence; and issue a new decision.

IT IS FURTHER ORDERED that, upon proper presentation, the Court will consider Plaintiff's application for reasonable attorney fees and expenses pursuant to 28 U.S.C. § 2412(d) and costs as enumerated in 28 U.S.C. § 1920, under 28 U.S.C. § 2412(a).

The Clerk of Court is directed to enter judgment for Plaintiff.

DATED this 21st day of September, 2023.



Dana L. Christensen, District Judge
United States District Court